

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Northern Division

Amadi Nwokocha,	*	
	*	
Plaintiff,	*	
	*	Civil Action No.:
v.	*	1:07-cv-00861-AMD
	*	
KALICO EXPORTS, INC,	*	
	*	
CP SHIPS,	*	
	*	
HAPAG-LLOYD (America) Inc.,	*	
	*	
And	*	
	*	
HAPAG-LLOYD AG,	*	
	*	
Defendants	*	

* * * * *

DEFENDANTS CP SHIPS, HAPAG-LLOYD (AMERICA) INC. AND HAPAG-LLOYD AG'S MOTION TO DISMISS FOR LACK OF VENUE OR, IN THE ALTERNATIVE, TO TRANSFER VENUE

Defendants CP Ships, Hapag-Lloyd (America) Inc., and Hapag-Lloyd AG, by and through their undersigned counsel, hereby move to dismiss this action for lack of venue, pursuant to Fed. R. Civ. P. 12(b)(3). In the alternative, Defendants respectfully request that this Court transfer this action to the United States District Court for the Southern District of New York under 28 U.S.C. § 1406(a).

As demonstrated in the attached memorandum, Plaintiff's maritime contract with Defendants contained an unequivocal forum selection clause creating exclusive venue in the United States District Court for the Southern District of New York. As a result, this Court is not the proper venue, and the instant action should be dismissed or transferred.

Two proposed orders accompany the instant motion.

Respectfully submitted,

/s/ W. Charles Bailey, Jr.
W. Charles Bailey, Jr. (#23580)
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Counsel for Defendants,
CP Ships, Hapag-Lloyd AG, and Hapag-
Lloyds (America) Inc.

CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2007, I caused a copy of the foregoing Defendants CP Ships, Hapag-Lloyd (America) Inc., and Hapag-Lloyd AG's Motion to Dismiss For Lack of Venue Or, In The Alternative, To Transfer Venue; Defendants CP Ships, Hapag-Lloyd (America) Inc., and Hapag-Lloyd AG's Memorandum in Support of Motion to Dismiss for Lack of Venue; Exhibits; and Proposed Orders to be served on Plaintiff, KALICO EXPORTS, INC., via First Class United States Mail, as follows:

KALICO EXPORTS, INC.
Serve on Resident Agent:
Ukebu U. Kalu
2305 Westfield Avenue
Baltimore, MD 21224

and on counsel for Plaintiff, Amadi Nwokocha,

Uduak J. Ubom
Obinna Duruji
Umbom Law Firm PC
7600 Georgia Avenue, N.W.
Suite 410
Washington, DC 20012

via the Courts electronic case filing system.

/s/ W. Charles Bailey, Jr.
W. Charles Bailey, Jr. (#23580)